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Message Text

PAGE 01 STATE 134314
ORIGIN DLOS-09

INFO OCT-01 IO-13 ISO-00 /023 R

66011
DRAFTED BY: D/LOS:WNEWLIN
APPROVED BY: D/LOS:WNEWLIN
----------102145Z 023007 /73
R 101346Z JUN 77
FM SECSTATE WASHDC
TO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 134314

PLS PASS TERRY LEITZELL LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: ADMINISTRATION INITIATIVE ON MARINE OIL POLLUTION:
DELEGATION VISIT TO JAPAN

FOLLOWING IS REPEAT TOKYO 8550, SENT ACTION SECSTATE, INFO
LONDON 09 JUNE:

QUOTE LIMITED OFFICIAL USE TOKYO 8550

DEPT PASS TO DOT

LONDON FOR SHIPPING ATTACHE

E.O. 11652: N/A
TAGS: AORG, EWWT, IMCO, JA
SUBJECT: ADMINISTRATION INITIATIVE ON MARINE OIL POLLUTION:
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1. SUMMARY: U.S. DELEGATION (RADM WALLACE, DIAMANTI AND
LAKEY) HELD A SERIES OF MEETINGS WITH JAPANESE OFFICIALS
FROM MINISTRY OF TRANSPORTATION, ENVIRONMENTAL AGENCY,
MARITIME SAFETY AGENCY, CLASSIFICATION SOCIETY, SHIP-
BUILDING ASSOCIATIONS, AND CHIEF EXECUTIVE OFFICERS OF THE
WHOLE JAPANESE TANKER FLEET DURING JUNE 6, 7 AND 8.
JAPANESE REPRESENTATIVES WERE WELL PREPARED AND PRESENTED
U.S. DELEGATION WITH MANY WRITTEN AND ORAL QUESTIONS AND
COMMENTS. U.S. DELEGATION ANSWERED MOST OF THE QUESTIONS
AND PROMISED WRITTEN REPLIES TO THE REMAINDER. EXCHANGES

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OF VIEWS WERE EXTREMELY FRANK AND MUTUALLY BENEFICIAL. AS IN PREVIOUS CAPITALS VISITED, BUT OF GREATER IMPORTANCE HERE, THE BRIEFING AND EXCHANGES WERE MOST APPRECIATED AND WILL CERTAINLY CONTRIBUTE TO CLOSER COOPERATION BETWEEN U.S. DELEGATION AND JAPANESE DELEGATIONS AT IMCO. THE MEETING WITH JAPANESE SHIPOWNERS WAS HIGH POINT OF THE VISIT. END SUMMARY.

2. ON JUNE 6 DELEGATION MET WITH DIRECTOR GENERAL NIHEI, WATER QUALITY BUREAU, ENVIRONMENT AGENCY. AFTER PRESENTATION OF U.S. INITIATIVES BY ADMIRAL WALLACE, NIHEI EXPRESSED APPRECIATION, NOTED JAPAN BOUNDED BY OCEANS AND THAT PEOPLE AND GOVERNMENT ALSO CONCERNED OVER MARINE POLLUTION. HE VIEWED U.S. PROPOSALS AS MAJOR EFFORT TO PROTECT THE SEAS. ALTHOUGH HE RECOGNIZED THAT SOME OF U.S. PROPOSALS INVOLVED ECONOMIC AND TECHNICAL PROBLEMS, HIS AGENCY FAVORED COMING INTO FORCE OF INTERNATIONAL AGREEMENTS ASAP. HE WELCOMED IMCO AS FORUM FOR U.S. PROPOSALS.

3. ON JUNE 7 (A.M.) U.S. DELEGATION MADE CALL ON VICE MINISTER NAKAMURA, MOT. AFTER HEARING ADMIRAL WALLACE PRESENTATION, NAKAMURA SAID GOJ IS PLEASED THAT THE U.S. IS SEEKING AN INTERNATIONAL SOLUTION.
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JAPAN IS ALSO SENSITIVE TO THE MARINE POLLUTION PROBLEM AND HAS IMPLEMENTED A NUMBER OF REGULATIONS TO CONTROL POLLUTION. JAPAN HOPES FOR SUCCESS OF U.S. INITIATIVES IN IMCO. JAPAN WILL PARTICIPATE ACTIVELY AND WHILE THERE MAY BE DIFFERENCES, ESPECIALLY ON CONSTRUCTION AND EQUIPMENT STANDARDS, "WE HAVE MUCH IN COMMON ONTHIS PROBLEM." NAKAMURA SAID HE HAS SOME DISAGREEMENTS BETWEEN HIS OWN BUREAUS OF SHIPBUILDING, SHIPPING, AND MARITIME SAFETY AGENCY WHICH REQUIRE RESOLUTION BEFORE JAPAN CAN TAKE A FINAL POSITION, BUT HE HOPES FOR COOPER-ATION WITH U.S. DELEGATION AT IMCO.

4. DELEGATION NEXT HAD MEETING AND LUNCH WITH DIRECTORS GENERAL OF MOT WHO WERE RELIEVED TO HEAR THAT CG PROPOSED RULES HAD NO FIXED DATE FOR ENTRY INTO FORCE, AND WOULD "TAKE ACCOUNT OF SUCCESSFUL EFFORTS TO REACH INTERNATIONAL AGREEMENT ON NEW STANDARDS". DIRECTORS GENERAL EXPRESSED GREAT INTEREST (AND RELIEF) IN TEXT OF S.682 AS PASSED BY SENATE. DELEGATION PROMISED TO FORWARD TEXT. THEY ALSO WONDERED IF U.S. HAD OTHER DELEGATIONS MAKING SIMILAR PRESENTATIONS ELSEWHERE. DIRECTOR GENERAL GOTOH, SHIPPING BUREAU, WHO ACTED AS CHAIRMAN,

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ASKED IF U.S. INITIATIVES HAD ANYTHING TO DO WITH TANKER GLUT. SHASHIKI OF SHIP BUREAU NOTED THAT EVEN THOUGH U.S. INITIATIVES NOT AIMED AT TANKER GLUT THEY MIGHT HAVE EFFECT OF REMOVING OLDER TANKERS WHICH WOULD NOT JUSTIFY COSTS OF S B RETROFIT AND SAFETY EQUIPMENT.

5. DELEGATION THEN MET WITH THE DIRECTORS OF THE MINISTRY OF TRANSPORT WITH 33 PARTICIPANTS ON THE JAPANESE SIDE. AFTER BRIEF PRESENTATION OF THE U.S. PROPOSALS IN IMCO, INCLUDING AN EXPLANATION OF COAST GUARD-PROPOSED RULEMAKING AND S.682, U.S.

DEL ANSWERED AS MANY AS POSSIBLE OF THE QUESTIONS WHICH WERE SUBMITTED IN WRITING BY THE JAPANESE DELEGATION. QUESTIONS INCLUDED THE FOLLOWING:

A. STATUS OF U.S. RATIFICATION OF 1973 POLLUTION CONVENTION AND THE IMPLEMENTING LEGISLATION?

B. WOULD IT BE POSSIBLE TO MAKE ANNEX II OF THE 73 POLLUTION CONVENTION OPTIONAL?

C. CAN CRUDE OIL WASHING (COW) BE A SUBSTITUTE FOR SEGREGATED BALLAST (SBT) ON EXISTING TANKERS?

D. WHY WAS 20,000 DWT CHOSEN AS LOWER LIMIT IN U.S. PROPOSALS?

E. WHY HAS U.S. CHANGED THE FORMULA FOR HEIGHT OF DOUBLE BOTTOMS?

F. WHAT ARE U.S. INDUSTRIES' VIEWS ON U.S. INITIATIVES?

G. WHAT IS THE STATUS OF U.S. DEEP WATER PORTS?

H. WHAT IS THE IMPLICATION OF PRESIDENT'S POLLUTION LIABILITY AND COMPENSATION BILL?

I. UNDER WHAT AUTHORITY DOES COAST GUARD ISSUE REGULATIONS?

J. HOW POWERFUL (POLITICALLY) ARE U.S. SHIPPING ASSOCIATIONS (I.E., FEDERATION OF AMERICA CONTROLLED SHIPPING)?

K. WHAT IS RELATIONSHIP BETWEEN PROPOSED RULES AND S.682?

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6. JAPANESE SIDE SEEMED MOST SATISFIED WITH U.S. PRESENTATION AND FRANK ANSWERS TO JAPANESE WRITTEN AND ORAL QUESTIONS. THEY STATED THEY HAVE INTERNAL PROBLEMS AND DIFFERENCES OF VIEWS BUT ARE DETERMINED TO PARTICIPATE IN THE NEGOTIATIONS AND STATED A STRONG DESIRE FOR COOPERATION LEADING TO A "COORDINATED POSITION BETWEEN U.S. AND JAPANESE DELEGATIONS."

7. ON JUNE 8, DELEGATION MET WITH SHIPBUILDERS ASSN AND JAPANESE CLASSIFICATION SOCIETY WITH 24 PARTICIPANTS ON THE JAPANESE SIDE. AFTER A BRIEF PRESENTATION BY ADM WALLACE AS WITH OTHER GROUPS, FIRST QUESTION ASKED WHAT U.S. INTENDED TO DO IF AGREEMENTS REACHED AT IMCO IN FEBRUARY 78 ARE NOT ACCEPTABLE TO THE USG. (ADM WALLACE INDICATED IF IMCO RESULTS FALL SHORT OF U.S. PROPOSALS, WE WOULD HAVE DIFFICULTY RATIFYING THE RESULTS.) OTHER QUESTIONS INCLUDED THE FOLLOWING:

A. HOW WILL THE PUBLIC HEARING AFFECT RULEMAKING AND THE U.S. PROPOSALS?

B. IF THE U.S. PROPOSALS COME INTO EFFECT WITHOUT AN INTERNAIONAL AGREEMENT, WHAT PROCEDURE WILL THE U.S. USE?

C. WHEN WILL S.682 PASS THROUGH CONGRESS?

D. WILL S.682 BE HELD UP FOR THE RESULTS OF THE FEBRUARY CONFERENCE?

E. HAS THE U.S. CONSIDERED A DIFFERENT STANDARD FOR SEGREGATED BALLAST ON EXISTING TANKERS OF 20,000 DWT?

F. WHAT WERE THE REACTIONS IN PREVIOUS CAPITALS VISITED?

G. ARE REQUIREMENTS FOR EMERGENCY STEERING THE SAME AS THOSE PREVIOUSLY PROMULGATED BY COAST GUARD REGULATIONS ALREADY IN EFFECT?

H. ARE THE SIGNIFICANTLY HIGHER COLLISION AVOIDANCE STANDARDS THE RESULT OF DISCUSSIONS WITHIN COAST GUARD OR THOSE WITH OTHERS COUNTRIES?

8. THE HIGH POINT OF THE VISIT, IN FACT OF THE WHOLE

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TOUR, OCCURRED ON AFTERNOON OF JUNE 8 WHEN DELEGATION
MET WITH THE JAPANESE SHIPOWNERS ASSOCIATION. THE
JAPANESE SIDE INCLUDED ESSENTIALLY ALL THE CHIEF
EXECUTIVE OFFICERS OF THE JAPANESE TANKER FLEET --
THE 11 PRINCIPALS AND 6 ASSISTANTS REPRESENTED SOME
FORTY TO FIFTY MILLION DWT OWNED OR OPERATED BY
JAPANESE. GENGO TSUBOI, PRESIDENT OF TOKYO TANKER
LIMITED WHO ACTED AS CHAIRMAN AND PRINCIPAL SPOKESMAN,
SET STRONG KEYNOTE WHEN HE CHARGED USG HAD MADE WRONG
ANALYSIS, OR HAD DRAWN WRONG CONCLUSIONS, FROM ARGO
MERCHANT AND THE 16 OTHER INCIDENTS NEAR U.S. SHORES.
THESE HE CHARACTERIZED AS "CREW FAILURES" AND
JAPANESE COULD NOT THOROUGHLY AGREE WITH U.S. POSITION,
I.E., U.S. TRYING TO USE CREW FAILURES TO JUSTIFY
DOUBLE BOTTOMS, SEGREGATED BALLAST, ETC. IF U.S.
WERE INTERESTED IN WORLD WIDE PROTECTION, HE ASKED
WHY THE U.S. HAD FAILED TO RATIFY SO MANY IMCO AND
ILO CONVENTIONS. HE FOLLOWED UP WITH THE QUESTION
WHAT WOULD U.S. DO IF IMCO DOESN'T ACCEPT U.S.
PROPOSALS IN FEBRUARY 78?

9. NEXT QUESTION, ON TERRITORIAL APPLICATION OF
U.S. LEGISLATION (S.682) AND PROPOSED RULES, SEEMED
TO START THE ICE MELTING. THERE WAS AUDIBLE SIGH
OF RELIEF WHEN ADMIRAL WALLACE EXPLAINED LIMITATIONS
TO "PORT ENTRY". WHILE THE REMAINDER OF THE
QUESTIONS, AND ANSWERS, CONTINUED TO BE FRANK
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THERE SEEMED TO BE A PROGRESSIVELY MORE FRIENDLY
ATTITUDE WITH EACH EXCHANGE.

10. TSUBOI CITED UK AND OCIMF NOTES TO MEDC VII
AS ARGUMENTS AGAINST SBT. HE REPORTED THAT HIS
COMPANY'S EXPERIENCE WITH CRUDE OIL WASHING (COW)

HAD BEEN EXCELLENT AND THAT HE CONSIDERED COW A GOOD
ALTERNATIVE TO SBT. WHEN U.S. DELEGATION EXPRESSED
RESERVATIONS ABOUT 100 PERCENT ACCEPTANCE OF COW AS ALTER-
NATIVE FOR SBT, TSUBOI CHARACTERIZED U.S. POSITION
AS "POLITICAL" AND "TOO STRONG". HE SAID ALTHOUGH
SENATOR MAGNUSON CLAIMS U.S. CONSUMERS PREPARED
TO "PAY COST OF SBT" JAPANESE CONSUMERS ARE NOT,
I.E., JAPANESE SHIPPERS WILL HAVE TO BEAR THE COSTS.
AT THIS POINT HE DELIVERED TO ADMIRAL WALLACE FOUR
PAGE DOCUMENT WHICH HE SAID CONTAINED HIS OWN VIEWS
BUT HAD BEEN READ WITHOUT OBJECTION BY OTHER MEMBERS
OF JAPANESE SIDE.(TSUBOI'S COMMENTS AND QUESTIONS
BEING HAND CARRIED BY LAKEY FOR JUNE 10 MEETING WITH
ADMIRAL BENKERT).

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11. THE JAPANESE SHIPOWNERS ALSO RAISED ISSUES OF COMPETITIVE EQUITY DURING TRANSITION PERIOD: INADEQUACY OF U.S. PORTS, AND URGENT NEED FOR U.S. DEEP WATER PORTS; DIFFERENCES IN CALCULATIONS OF COST OF U.S. INITIATIVES; AND UNPROVED SAFETY VALUE OF DOUBLE BOTTOMS.

12 TSUBOI CONCLUDED MEETING ON "HAPPY NOTE" BY STATING JAPANESE SHIPOWNERS AGREE WITH 2/3 OF US. PROPOSALS: INSPECTION AND CREW STANDARDS, BUT NOT OUR CONSTRUCTION AND EQUIPMENT STANDARDS DOWN TO
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20,000 DWT.

13. AT A SUMPTUOUS RECEPTION AFTER THE FORMAL MEETING, THE DELEGATION'S PREVIOUS FRANKNESS PAID OFF IN THE MOST FORTHCOMING STATEMENT MADE BY ANY OF THE HOST DELEGATIONS: TSUDBI SAID HE HAD ATTENDED THE MEETING OF OCIMF (OIL COMPANIES INTERNATIONAL MARINE FORUM) HELD AT TOKYO TWO WEEKS AGO, AND THAT OCIMF WOULD SUPPORT AT IMCO THE NECESSITY TO UPGRADE INSPECTION AND CERTIFICATION STANDARDS AND CREW STANDARDS; ON CONSTRUCTION AND EQUIPMENT OCIMF WOULD SUPPORT THE NEED TO IMPROVE:
(A) EMERGENCY STEERING EQUIPMENT,
(B) SECOND RADAR WITH COLLISION AVOIDANCE, AND
(C) INERT GAS ON NEW AND EXISTING TANKERS DOWN TO 20,000 DWT; THEY WILL OFFER COW AS ALTERNATIVE FOR SBT. ON NEW SHIPS HE WAS CONFIDENT OCIMF WOULD SUPPORT ALTERNATIVE OF SBT DEPLOYED AS PROTECTIVE OR DEFENSIVE SPACE.

14. IN ANOTHER CONVERSATION, TOMITA OF MOT (WHOSE PERSONNEL HAD MONITORED THE SHIPOWNERS MEETING WITH DELEGATION) SAID GOJ POSITION MAY NOT BE THE SAME AS SHIPOWNERS POSITION (WHICH HE SEEMED TO THINK WAS TOO NEGATIVE).

15. COMMENTS: (ALLU.S. DELEGATION IMPRESSED BY PEDIGREE OF JAPANESE SHIPOWNERS DELEGATION (WHICH AT LEAST PARTLY DUE TO FRIENDSHIP OF TSUBOI FOR EMBASSY ECON LOCAL EMPLOYEE KAWAMURA WHO MADE ARRANGEMENTS AND SERVED AS DELEGATION'S INTERPRETER WHERE NEEDED).

(B) COMPLETE CANDOR CERTAINLY PAID OFF WITH SHIP-OWNERS WHO RECIPROCATED TO THE MUTUAL BENEFIT OF BOTH SIDES.
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(C) THE TOUR OF FOUR WORLD CAPITALS IN 10 DAYS HAS BEEN GRUELING BUT UNQUESTIONABLY PRODUCTIVE. THE MEETING WITH THE JAPANESE SHIPOWNERS WOULD HAVE JUSTIFIED THE TIME AND MONEY SPENT. IF TSUBOI IS ACCURATE IN HIS PREDICTION OF WHAT OCIMF WILL SUPPORT IN MEPC, THE U.S. INITIATIVES ARE OFF TO AN AUSPICIOUS BEGINNING.

(D) U.S. DELEGATION CONTINUALLY IMPRESSED WITH THE GENUINE EXPRESSIONS OF APPRECIATION FOR VISIT BY ALL WITH WHOM WE HAVE TALKED.

(E) JAPANESE HAVE A UNIFIED POSITION IN IMCO AND OECD. DISCUSSIONS HAVE SERVED TO CONFIRM THAT U.S. DELEGATIONS MUST ALSO HAVE CLOSELY COORDINATED AND SINGLE POLICY ON OIL TANKER QUESTIONS FOR IMCO AND OECD.

16. AMEMBASSY TOKYO IS TO BE COMMENDED ON THE OUTSTANDING SCHEDULE OF MEETINGS AND FULL SUPPORT FOR U.S. DELEGATION. FSO MARILYN ANN MEYERS AND FSL RICHARD KAWAMURA CONTRIBUTED VERY SIGNIFICANTLY TO THE SUCCESS OF THE MISSION.

17. U.S. DEL SENDS.
MANSFIELD UNQUOTE. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ENVIRONMENT, WATER POLLUTION, MEETING DELEGATIONS, OIL SPILLS
Control Number: n/a
Copy: SINGLE
Sent Date: 10-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE134314
Document Source: ADS
Document Unique ID: 00
Drafter: D/LOS:WNEWLIN
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: D770208-0411
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197706110/baaaewdr.tel
Line Count: 357
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: e6219e73-c288-dd11-92da-001cc4696bcc
Office: ORIGIN DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2013864
Secure: OPEN
Status: NATIVE
Subject: ADMINISTRATION INITIATIVE ON MARINE OIL POLLUTION: DELEGATION VISIT TO JAPAN
TAGS: PLOS, SENV, US
To: USUN N Y
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/e6219e73-c288-dd11-92da-001cc4696bcc
Review Markings:
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